

Abstract

Thesis title: Special modes of contracting by entrepreneurs

This paper deals with the specific ways of closing a contract regulated by the Civil Code, such as auction, public tender and public offer. However, before proceeding to the very subject of this work, it is necessary, at least in the essential features to say, what is a contract and what is the typical way of closing a contract, when it is afterwards discussed what is the special ways of closing a contract. The first chapter deals with the concept of a contract and a typical way of closing it. The second chapter summarizes how to deviate from a typical way of concluding contracts and what arrangements are then used for this procedure. Since this work is aimed at entrepreneurs, so it deals with the specific ways of closing a contract particularly from their point of view. Therefore the paper firstly defines who is an entrepreneur according to the Civil Code and how the rules for contracting are different in regard to entrepreneurs. Although it is not a way of concluding a contract, at the end of the second chapter, a brief description of the public promise is provided, so that it can be judged which legal action results in the conclusion of a contract and which is a public promise and creates an obligation to provide performance without concluding a contract. The following three chapters deal with the specific ways of concluding the contract, as they are covered by the Civil Code. The third chapter deals with a public tender. First, what is the essence of the public tender and how the modification in the Civil Code differs from the previous regulation in the Commercial Code. A relatively large part is devoted to the conditions of the public tender, what must be mentioned and what is appropriate to mention for the smooth running of the public tender. The fourth chapter is devoted to the auction, which is newly modified in the Civil Code, so the thesis is devoted mainly to the position of this institute both in private and with regard to the regulation of public auctions and public law. The last fifth chapter deals with the public offer.